

Message Text

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ACTION OES-07

INFO OCT-01 EUR-12 ISO-00 PM-05 ACDA-12 CIAE-00 INR-10
IO-13 L-03 NSAE-00 NSC-05 EB-08 NRC-05 SOE-02
DODE-00 SS-15 SP-02 CEQ-01 /101 W
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P 171734Z FEB 78

FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC PRIORITY 4970
INFO DOE WASHDC PRIORITY
DOE GERMANTOWN PRIORITY
AMEMBASSY BONN PRIORITY
AMEMBASSY VIENNA PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 03145

USEEC

VIENNA FOR IAEA

E.O. 11652: GDS
TAGS: PARM, TECH, IAEA, EC, ENRG
SUBJECT: EURATOM-IAEA SAFEGUARDS

REF: BRUSSELS 2823

1. COREPER GOT BOGGED DOWN ON FEBRUARY 16 OVER WORDING PROBLEMS IN TRYING TO REACH AGREEMENT ON TEXT OF WILLIAMS' LETTER TO FISCHER ON LIGHT WATER REACTORS. IT DID AGREE, HOWEVER, ON AN ORAL REPLY THAT WILLIAMS COULD MAKE TO FISCHER. WILLIAMS SPOKE TO FISCHER ON FEBRUARY 16 AND TELLS US THAT THE GIST OF THE MESSAGE WAS AS FOLLOWS: THE EC ACCEPTS THE IAEA-PROPOSED DEFINITION OF RANDOM AS MEANING IAEA PRESENCE AT 50 PERCENT OF THE THREE AND NINE-MONTH SLAVE CAMERA CASSETTE REMOVALS BUT INSISTS THAT THE IAEA MUST ACCEPT THAT FULL AND FINAL COMMITMENT TO ANY SPECIFIC DETECTION INTERVAL MUST AWAIT THE ESTABLISHMENT OF TECHNICAL
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CAL FEASIBILITY AND A DETERMINATION THAT SUCH DETECTION TIME WOULD NOT LEAD TO UNDUE BURDEN ON THE PLANT OPERATOR. FURTHER, FOR DETECTION TIMES TO BECOME "LEGAL," THEY SHOULD BE ADOPTED BY A DECISION OF THE IAEA BOARD OF GOVERNORS.

2. WILLIAMS TOLD US THAT FISCHER DID NOT "THROW HIS CAP IN THE AIR" WITH JOY AT RECEIVING THE MESSAGE, BUT NEITHER DID

HE EXPRESS ANY NEGATIVE REACTION. WILLIAMS SAID THAT THERE WAS A SLIGHT DIFFERENCE OF OPINION BETWEEN HIM AND FISCHER ON DETECTION TIMES, WITH FISCHER SAYING THAT A SPECIFIED DETECTION TIME IS A THING THAT IS USED AS A GUIDE IN PRE-PARING FACILITY ATTACHMENTS RATHER THAN SOMETHING THAT ONE PUTS INTO LEGAL DOCUMENTS. WILLIAMS COMMENTED THAT HE HAD TROUBLE FOLLOWING FISCHER'S LOGIC ON THIS SINCE FISCHER, HE SAYS, TOLD HIM THAT HE THOUGHT THE 90-DAY DETECTION TIME OUGHT TO BE WRITTEN INTO THE FACILITY ATTACHMENTS.

3. WILLIAMS SAID THAT HE TOLD FISCHER THAT HE HOPED THAT HIS MESSAGE WOULD ALLOW: (1) DG EKLUND TO MAKE A FAVORABLE REPORT TO THE BOARD, AND (2) THE TWO PARTIES TO GET ON WITH FINALIZATION OF THE LIGHT WATER REACTOR FACILITY ATTACHMENTS.

4. PERMDEL SOURCES TELL US THAT PART OF THE HANG UP ON WORDING OF A LETTER RESPONSE WAS IN TRYING TO DESCRIBE WHAT IAEA ACTIVITIES WOULD BE ACCEPTABLE AT ONE OF THE THREE OR NINE MONTH INSPECTIONS IN THE EVENT THE CAMERA IS FOUND TO HAVE FAILED. THE FRG SOURCE SAID THAT WILLIAMS WAS AUTHORIZED TO TELL FISCHER THAT IN SUCH EVENT THE IAEA INSPECTOR WOULD BE ALLOWED TO "PERFORM OTHER CONTROL OPERATIONS (I.E., COUNT THE NUMBER OF SPENT FUEL ELEMENTS TO CONFIRM BOOK INVENTORY.)" WILLIAMS DID NOT MENTION THAT HE ACTUALLY DELIVERED THIS PART OF THE MESSAGE TO FISCHER. CONFIDENTIAL

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OUR SOURCES ALSO TELL US THAT EVEN IF THERE IS FORMAL ADOPTION OF QUANTIFIED DETECTION TIMES BY THE IAEA GOVERNING BOARD, THEIR APPLICATION IN THE EC MIGHT BE CONSIDERED INCONSISTENT WITH THE TERMS OF THE IAEA/EURATOM VERIFICATION AGREEMENT.

5. COREPER APPROVED THE SPEAKING BRIEF THAT WILL BE USED BY FRG REP LOOSCH ON BEHALF OF THE EC AT THE FEBRUARY 21 GOVERNING BOARD MEETING. ACCORDING TO OUR SOURCES, THE FRG STATEMENT WILL AVOID DISCUSSING MODALITIES OF SAFEGUARDS ON LWR'S WHICH THE MEMBER STATES PREFER NOT BE DISCUSSED OPENLY IN THE PRESENCE OF OTHER IAEA MEMBER STATES. THEY SAID THE STATEMENT WILL FOCUS PRIMARILY ON THE PRINCIPLE OF ESTABLISHING DETECTION TIMES. ACCORDING TO WILLIAMS, THE BRIEF SAYS THAT THE EC TAKES A FAVORABLE VIEW OF EFFORTS TO STRENGTHEN INTERNATIONAL SAFEGUARDS BUT URGES CAUTION IN ADOPTING PRECISE NUMBERS FOR DETECTION TIMES IN SENSITIVE FACILITIES UNTIL THEIR PRACTICALITY CAN BE VERIFIED. HE SAID THAT MEMBER STATES ARE FAIRLY RELAXED AT THE NOTION OF 90 DAY DETECTION TIME FOR LIGHT WATER REACTORS BUT ARE CONCERNED ABOUT POSSIBLE PLANT INTERRUPTIONS OR MODIFICATIONS THAT MAY BE NECESSARY TO MEET A 7 TO

21 DAY INTERVAL IN SENSITIVE FACILITIES.

6. ACCORDING TO OUR BELGIAN SOURCE, THE STATEMENT WILL STRESS THE EC VIEW THAT NEITHER THE IAEA SECRETARIAT NOR SAGSI HAVE THE AUTHORITY TO DETERMINE, AND TO SEEK TO APPLY AS PART OF IAEA INSPECTIONS, DETECTION TIMES, QUANTITIES AND CONTROL SYSTEMS WITHOUT FULL IAEA APPROVAL. THEY EXPECT TO HAVE A CLEAR AND FRANK DISCUSSION OF THIS SUBJECT AT THE GOVERNING BOARD MEETING. HE SAID THE EC HOPES THAT DISCUSSION AT THE GOVERNING BOARD MEETING CAN EXTEND TO

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TO SECSTATE WASHDC PRIORITY 4971

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AMEMBASSY BONN PRIORITY

AMEMBASSY VIENNA PRIORITY

C O N F I D E N T I A L SECTION 02 OF 02 BRUSSELS 03145

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VIENNA FOR IAEA

CONTROL SYSTEMS WHICH WILL MAKE PHYSICAL INVENTORIES POSSIBLE WITHOUT NECESSARILY STOPPING OPERATION OF THE FACILITIES THEMSELVES. THE EC COULD AGREE TO SHORT DETECTION TIMES WHEN IT IS ASSURED THAT OPERATION OF UNITS WILL NOT BE DISRUPTED.

7. A GERMAN PERMDEL OFFICER SAID THAT THE BRIEF WILL MAKE THE POINT THAT ACCEPTING A TEN-DAY DETECTION TIME IN THE FACILITY ATTACHMENTS FOR SENSITIVE INSTALLATIONS WOULD BE AN ABANDONMENT OF THE PRINCIPLE ESTABLISHED IN THE IAEA/ EURATOM VERIFICATION AGREEMENT WHICH PERMITS PERMANENT INSPECTION OF SUCH FACILITIES BUT ONLY AS RELATED TO "MATERIAL BALANCE ZONES." HINTON

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